

MOTION: Mahan/Myers**Assigned Resolution No. 021-06**

Approve the coastal development permit, the modification of the open yard, and the tentative subdivision map, making the findings as outlined by Staff, and with the altered condition replacing the B1 roof decks condition with a B1 plate height condition that allows the first floor plate heights to go up to 9' as long as the solar ordinance requirements are met.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jostes)

Chair Jacobs announced the ten calendar day appeal period.

III. NEW ITEM:**ACTUAL TIME: 1:15 P.M.**

APPLICATION OF TRISH ALLEN, SUZANNE ELLEDGE PLANNING AND PERMITTING SERVICES, INC., AGENT FOR WYE ROAD PROPERTIES, LLC, PROPERTY OWNER, 85 N. LA CUMBRE ROAD, APN 057-233-010, R-3/S-D-2 LIMITED MULTIPLE RESIDENCE AND SPECIAL DISTRICT 2 ("UPPER STATE STREET AREA") ZONES, GENERAL PLAN DESIGNATION: OFFICE AND GENERAL COMMERCE (MST2005-00295)

The proposed project involves the demolition of all existing site improvements, including a two-story apartment building, a detached residence, a garage and apartment structure and carports (a total of ten (10) residential units would be demolished). A new three-story condominium building containing nine (9) residential units (three (3) one-bedroom and six (6) two-bedroom units) is proposed. Fifteen (15) covered parking stalls and four (4) uncovered parking stalls are included. One (1) of the one-bedroom units is proposed as a bonus density unit affordable to middle-income homebuyers.

The discretionary applications required for this project are:

1. A Modification of the lot area requirements to allow for one bonus density unit on a lot in the R-3 / S-D-2 zone (SBMC §28.92.110, A, 2);
2. A Modification of the open space requirement to allow a portion of it to be provided on the second level of the building (SBMC §28.92.110, A,2); and
3. A Tentative Subdivision Map for a one-lot subdivision to create nine (9) residential condominium units (SBMC 27.07 and 27.13).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Guidelines Sections 15301, 15315 and 15302.

Case Planner: Allison De Busk, Associate Planner
 Email: adebusk@SantaBarbaraCA.gov

Allison De Busk, Associate Planner, gave the Staff presentation and announced that the open space Modification, item 2 in the project description, is not required for the project as previously noticed.

Commissioner's comment's and questions:

1. Asked Staff if there is a relocation program associated with the project.
2. Asked Staff what the income level range is for the middle income homebuyer.

Ms. Hubbell stated that the middle income level qualification is 120-160% of the median income. The maximum sale price is based on 130%. For a middle income unit, the maximum income for two people is \$84,000, while the maximum income for three people is \$94,700, for a unit sale price of \$216,000.

Trish Allen, Susan Elledge Planning and Permitting, introduced the applicant team: Dave Jones, Lenvik and Minor Architects; Josh Monroy, Earth One Design landscape architect; and Pete Richards, the owner, then gave the applicant presentation.

Commissioner's comments and questions:

1. Asked the applicant how many bedrooms are in current building.
2. Asked if the tenant relocation proposal is based on the rent that is currently being paid or the rent where the tenant would be relocating.
3. Asked for more detail on the sidewalk composition and pedestrian walkways.
4. Asked about the private spaces and noted that each floor looks over the floor below. Asked if the private space could be made more private.

Ms. Allen stated that this project is not subject to the proposed draft tenant displacement assistance ordinance. However, the applicant is proposing a 60 day notification and rent compensation based on the length of the tenant's residency and ranging from one month to three months rent. The compensation will be equal to the rent the tenant is currently paying today.

Ms. Allen responded that there are 15 bedrooms in the current building.

Mr. Jones stated that there will be enhanced paving that will use some brick or colored modular cement blocks. The pedestrian walkways will use color or some differentiated material. Mr. Jones stated that the privacy between floors has not been considered.

Chair Jacobs opened the public hearing at 1:48 P.M.

Mary O'Gorman, SBCAN Executive Director, expressed concern with maintaining rental housing market. Against replacing rental units with high end condominiums.

With no one else wishing to speak, the public hearing was closed at 1:50 P.M.

Commissioner's comments and questions:

1. Acknowledged the loss of rental housing and shared the same concern expressed by the public speaker. Asked about the City's policy and considerations of the trade offs. Sees this issue as a serious matter.
2. Would like to see the streetscape changed to include a real parkway, not just a little strip. Would like to see underground parking.
3. Asked for council's input about the drainage and expressed concern that it is not consistent with how it now drains.
4. Asked about the light pole across the street that has the wrong fixture. Would like to include consideration to changing the fixture. Supports changing the light fixture to a dome fixture in compliance with City standards.
5. Commented that Commissioners need tools from the City Council on affordability by design.
6. Pointed out that land use and size of project are appropriate for this neighborhood. Stated that there are lots of driveways in the area; consider the relation to increased upper State Street traffic.
7. Consensus of Commissioners expressed concern with the loss of rental housing units.
8. Echoed comments on underground parking, but understands that it may not be feasible given lot size and configuration and required design standards.
9. Asked about suggestion for moving the sidewalk onto private property. Asked counsel how the City's right of way works.
10. Appreciates that 15 bedrooms are being replaced with 15 bedrooms. Stated that condominiums can become rentals and should be considered. Does not consider the plate heights are exorbitant and the project will fit well with the neighborhood.
11. Asked about the two modifications needed for additional parkway. Asked, if an easement is provided in the front area, if it could be a pedestrian easement rather than a street easement.
12. The 36' height works well with surrounding neighborhood. Future three story buildings would be under greater scrutiny.
13. Asked what would be required for a larger parkway to occur. Asked, if a setback modification were to be added, if the project would then need to be renoticed.
14. Asked if a strip of attractive paving could be incorporated along the back of the sidewalk.
15. Asked how the streetscape will be treated and if it could include permeable pavement and trees. The front looks very institutional for the entrance to the residential portion of the neighborhood.

Mr. Vincent stated that the rule of drainage is that one property must act reasonably with respect to the other property. One factor of reasonableness is not increasing the burden

across the adjoining neighbor's property. On this project, the proposal is not creating a burden on the adjoining property.

Mr. Vincent replied stated that a City sidewalk must be within the City right of way; however, the applicant could dedicate a larger right of way. The dedication would still be the responsibility of the applicant for liability and maintenance. Ms. Hubbell added that the setback would change if the public easement was changed and has an impact on the property and how it is developed.

Ms. Hubbell commented that the proposed Tenant Displacement Assistance Ordinance will be based, not on what the tenant is currently paying for their unit, but on what the going rate is for the existing unit based on an annual survey that will be done by Housing and Redevelopment.

Ms. Hubbell clarified that a pedestrian walkway is a sidewalk that is considered to be a part of the right of way. Many of the City's rights of way are owned as an easement, not in fee. Ms. Hubbell included the applicant in the discussion on whether or not there was any interest on dedicating additional parkway.

Mr. Jones asked the Commission for clarification on the sidewalk concern.

MOTION: Mahan/Larson

Assigned Resolution No. 022-06

Approve the project, making the findings for the lot modification and the tentative map and new condominium development with the conditions that: 1) The area west of the public sidewalk will be enhanced with decorative paving and trees as reviewed and approved by ABR. 2) The light pole fixture on La Cumbre will be changed to a dome fixture. 3) Relocation of the tenants will be based on the applicant's proposal and the proposed tenant displacement ordinance for rental compensation rates.

This motion carried by the following vote:

Ayes: 6 Noes: 0 Abstain: 0 Absent: 1 (Jostes)

Chair Jacobs announced the ten calendar day appeal period.

Chair Jacobs announced a break at 2:27 PM. The meeting reconvened at 2: 45 P.M.

IV. RECOMMENDATION TO THE CITY COUNCIL:

ACTUAL TIME: 2:45 P.M.

**SINGLE FAMILY DESIGN GUIDELINES/NEIGHBORHOOD PRESERVATION
ORDINANCE (SFDG/NPO)DRAFT UPDATE**

Recommendations to the City Council on the review and comment of the Single Family